



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy D. Evans et al. : Art Unit: 1731
Application No.: 09/700,475 : Examiner: M. Steve Alvo
Filed: January 11, 2001 :
FOR: PEROXIDE, OXYGEN, AND :
PEROXIDE/OXYGEN BRIGHTENING OF :
CHEMICAL AND MIXED WASTE PULPS :

DECLARATION OF TIMOTHY D. EVANS

Assistant Commissioner for Patents
Washington, DC 20231

S I R :

I, Timothy D. Evans, declare that:

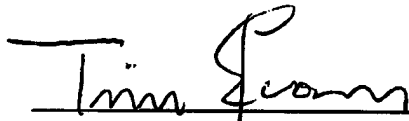
1. From November 1, 1985 to date, I have been employed by the National Silicates Ltd., in Toronto, Ontario, Canada. My present position is Technical Director.
2. In August 1996, National Silicates Ltd. entered into a research collaboration with Dr. Ray Francis of the State University of New York. As part of this research collaboration, National Silicates Ltd. provided financial support for research conducted in Dr. Francis' laboratory. In the course of this research collaboration, periodic reports were exchanged between Dr. Francis and myself.
3. The reports submitted by Dr. Francis to National Silicates Ltd. were regarded as confidential internal communications between researchers actively involved in the subject matter research project.
4. To the best of my knowledge, the reports submitted by Dr. Francis to National Silicates Inc. were not published, distributed, or disclosed outside of the

RECEIVED
NOV 01 2002
TC 1700

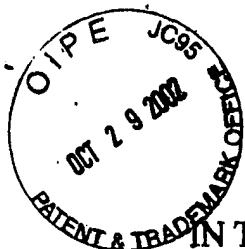
research collaboration of National Silicates Ltd. and the State University of New York, Syracuse before May 15, 1998.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issued thereon.

Dated: October 23, 2002



Timothy D. Evans
DECLARANT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy D. Evans et al. : Art Unit: 1731
Serial No.: 09/700,475 : Examiner: M. Steve Alvo
Filed: January 11, 2001 :
For: PEROXIDE, OXYGEN, AND :
PEROXIDE/OXYGEN :
BRIGHTENING OF :
CHEMICAL AND MIXED :
WASTE PULPS :

SECOND DECLARATION OF RAYMOND C. FRANCIS, PH.D.

Assistant Commissioner for Patents
Washington, DC 20231

S I R :

I, Raymond C. Francis, Ph.D., declare that:

1. On September 20, 2002, I signed a declaration concerning an Interim Report on the progress of the Graduate Research Fellowship in Silicate Chemistry to National Silicates Ltd.

2. In this declaration, I stated that to my knowledge, the Interim Report was not published, distributed, or disclosed outside of the research collaboration of National Silicates Ltd. and the State University of New York, Syracuse, and that the first known publication of the subject matter of the report, to the best of my knowledge, was January, 1998.

3. In my declaration of September 20, 2002, I relied on my recollection of the date of the first known publication of the subject matter of the Interim Report. Since signing the September 20, 2002 declaration, I have reviewed this matter in more detail and, as a result, have now established that the first known publication of the subject matter of the report was later than

RECEIVED

NOV 01 2002

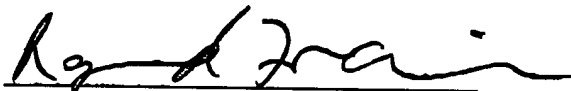
TC 1700

~~January, 1998.~~ In particular, this publication was first made available, in confidence, to the attendees of a meeting of the Empire State Paper Research Associates (ESPRA), which was held May 19-22, 1998. A presentation of results, in confidence, was also made to the attendees at this meeting.

4. At the time of my September 20, 2002 declaration, I believed to the best of my knowledge that January, 1998 was the date of the first known publication of the subject matter of the Interim Report. As a result of my more detailed review, I now declare, to the best of my knowledge, that there was no disclosure or publication of the subject matter of the Interim Report prior to May 19-22, 1998. To the extent that my declaration of September 20, 2002, is inconsistent with this second declaration, this second declaration supercedes my declaration of September 20, 2002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issued thereon.

Dated:

10/21/02

Raymond C. Francis
DECLARANT